

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3526 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

D S VASAVADA & Others

Versus

GUJARAT ELECTRICITY BOARD & Others

Appearance:

None present for the Petitioners
MR VJ DESAI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/07/96

ORAL JUDGEMENT

The identical matter being the Special Civil Application No.3995 of 1993 has been decided by this Court on 20th June, 1996 after hearing Shri D.S. Vasavada, the petitioner who is now advocate of this Court. This Court has taken a view that this writ petition filed for quashing of the adverse remarks is not

maintainable unless the adverse remarks, adversely affects any of the service conditions of the petitioner. In the present case, the petitioner has failed to come out as to how the adverse remarks which have been prayed for quashing have adversely affected any of their service conditions of the petitioner. In the result, this Special Civil Application fails and the same is dismissed. However, it is made clear that the petitioner will have a remedy to challenge the adverse remarks, in case any of the service conditions are being affected because of the adverse remarks prayed for quashing in this Special Civil Application before the appropriate forum while challenging the prejudicial order.
